

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

LOCAL 8027, AFT-NEW HAMPSHIRE, AFL-CIO, RYAN)
RICHMAN, JOHN DUBE and JOCEYLN MERRILL,)
teachers in the New Hampshire Public Schools, and)
KIMBERLY GREEN ELLIOTT and MEGHAN EVELYN)
DURDEN, parents or guardians of children in the New)
Hampshire public schools.)

Plaintiffs,)

v.)

FRANK EDELBLUT, in his Official Capacity as)
Commissioner of the DEPARTMENT OF EDUCATION)
("DOE"), CHRISTIAN KIM in his Official Capacity as the)
Chair of the NEW HAMPSHIRE COMMISSION ON)
HUMAN RIGHTS, and JOHN FOMELLA in his Official)
Capacity as ATTORNEY GENERAL of the State of New)
Hampshire.)

Defendants.)

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ANDRES MEJIA,)
CHRISTINA KIM PHILIBOTTE, and)
NATIONAL EDUCATION ASSOCIATION-NEW)
HAMPSHIRE,)

Plaintiffs,)

v.)

FRANK EDELBLUT, in his official capacity only as the)
Commissioner of the New Hampshire Department of)
Education,)

JOHN M. FORMELLA, in his official capacity only as the)
Attorney General of the State of New Hampshire,)

AHNI MALACHI, in her official capacity only as the)
Executive Director of the New Hampshire Commission for)
Human Rights,)

CHRISTIAN KIM, in his official capacity)
only as the Chair of the New Hampshire Commission for)
Human Rights,)

KEN MERRIFIELD, in his official capacity only as the)
Commissioner of the Department of Labor,)

Defendants.)

Civil No. 1:21-cv-01077-PB

THE PARTIES' JOINT MOTION TO EXTEND DEADLINES ESTABLISHED IN
THE COURT'S FEBRUARY 15, 2023 ORAL ORDER AND
FEBRUARY 21, 2023 ORDER

The parties, through counsel, submit this Joint Motion to Extend Deadlines in this matter:

1. The parties are cooperatively working to complete discovery in this matter, which was scheduled to end on Friday, May 19, 2023. Defendants have responded to interrogatory requests and their document production is nearly complete. Further, two employees of the Department of Education were deposed on May 17, 2023 and May 18, 2023.

2. However, the parties require a brief two-week extension to finalize discovery, which will extend the discovery deadline to **Friday, June 2, 2023**. During this two-week period, the parties will conduct two further depositions on May 23, 2023 and May 24, 2023, with one possible additional deposition during this period.

3. Given this necessary two-week extension of the discovery deadline and the need to obtain final deposition transcripts, the parties also seek a four-week extension of the briefing schedule in this case as follows:

- The parties' simultaneous cross-motions for summary judgment: From June 19, 2023, to **July 14, 2023**.
- The parties' simultaneous objections to the respective cross-motions for summary judgment: From July 10, 2023, to **August 11, 2023**.

4. Accordingly, the parties propose to extend the deadlines as follows:

Scheduling Designation	Current Deadline	Proposed Deadline
Completion of Discovery	May 19, 2023	June 2, 2023
Parties' simultaneous cross-motions for summary judgment	June 19, 2023	July 14, 2023
Parties' simultaneous objections to the respective cross-motions for summary judgment	July 10, 2023	August 11, 2023

5. A Civil Form 3 is attached hereto.
6. No supporting memorandum has been filed due to the procedural nature of this motion.
7. Counsel for Defendants were consulted and jointly submit this Motion.

WHEREFORE, the parties respectfully request that this Honorable Court:

- A. Grant this Motion to Extend the Deadlines Established in the Court's February 15, 2023 Oral Order and February 21, 2023 Order; and
- B. Grant any additional relief that is just and proper.

Respectfully Submitted,

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